

# Planning Committee

A meeting of Planning Committee was held on Wednesday, 9th July, 2014.

**Present:** Cllr Robert Gibson (Chairman), Cllr Gillian Corr, Cllr Phillip Dennis, Cllr Eileen Johnson (vice Cllr Jim Beall), Cllr Paul Kirton, Cllr Ken Lupton, Cllr Jean O'Donnell (vice Cllr Rose), Cllr Maureen Rigg (vice Cllr Lewis), Cllr Andrew Sherris, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Steve Walmsley, Cllr David Wilburn

**Officers:** Beverley Bearne, Andrew Glossop, Joanne Hutchcraft, Richard McGuckin, Martin Parker, Carol Straughan(DNS), Julie Butcher, Sarah Whaley(LD)

**Also in attendance:** Agents, Applicants, Members of the Public

**Apologies:** Cllr Jim Beall, Cllr Jean Kirby, Cllr Alan Lewis, Cllr David Rose,

**P           Evacuation Procedure**

**36/14**

The Evacuation Procedure was noted.

**P           Declarations of Interest**

**37/14**

Councillor Andrew Sherris declared an interest in relation to Item no. 8 14/0303/LAF Land to the Rear of Barclays Bank Plc, 76 High Street, Yarm as he had shown support as Ward Town Councillor. Councillor Sherris did not take part in the vote.

Councillor Mrs Rigg advised the Committee that she had submitted representations in respect of item no 7 14/0278/FUL - Land to the rear of 661 Yarm Road, but had prefaced her comments that she had retained an open mind.

**P           14/0985/FUL**

**38/14**

**Sainsburys Supermarkets Ltd, Whitehouse Farm, Bishopton Road West, Stockton-On-Tees  
Erection of 3-pump petrol filling station, associated kiosk and plant room and alterations to car park layout and landscaping**

Prior to the meeting Members visited the site.

Consideration was given to a report on planning application 14/0985/FUL Sainsburys Supermarkets Ltd, Whitehouse Farm, Bishopton Road West, Stockton-on-Tees.

The application sought planning permission for the erection of a 3-pump petrol filling station, and associated kiosk and plant room, and associated alterations to car park layout and landscaping at Sainsbury's supermarket, Whitehouse Farm located off Bishopton Road West, Stockton on Tees.

The proposed site related to 470sqm of land to the south of the main store within the existing car park and landscaping area along the southern boundary

of the site, adjacent to Bishopton Road West (south) and Bishopton Avenue (east). The 3-pump petrol filling station would consist of a canopy with flat roof design. The canopy would be supported by 3 stanchions. The proposed kiosk would be sited to the west of the filling station. A small plant room/storage unit would be sited to the south of the proposed kiosk. Additional landscaping was proposed along the southern boundary.

The main store building was set back from Bishopton Road West (south) with a car park to the front (south) and side (east) of the main store. The store and car park was accessed from Barlborough Avenue (west). Beyond the highway of Bishopton Avenue to the east were residential properties along Bishopton Avenue and Bishopton Road (south east). Beyond Bishopton Road West to the south of the application site were properties along Bishopton Road West, playing fields and Stockton Sixth Form college (south west). The residential properties of No's 1-9 (odds) Barlborough Avenue were present to the west of the site, of which this road lead into a wider residential estate. 'Senators' public house was adjoined to the store on the north east elevation. Tree planting and soft landscaping was present along the southern boundary.

The Head of Technical Services had raised no objections to the application in terms of highway safety, car parking and vehicular traffic. The Council's Landscape Officer had raised no objections to the scheme subject to final details of soft landscaping and soft landscape management, which were secured by planning conditions.

No objections had been received from Environmental Health Unit subject to conditions relating to lighting, hours of delivery, hours of use, and hours of construction. Northumbrian Water Limited and the Environment Agency had also raised no objections.

Objections had been received from Councillor Cherrett and Councillor Kennedy. 30 letters of objection had been received to date and a further 4 objections had been received in respect of the proposed scheme but submitted under an associated advert consent application, reference (14/1123/ADV), which were summarised in the main report but included the impact on the amenity of neighbouring properties in terms of noise disturbance and fumes/smells, the impact on highway safety and network capacity, the scheme was not suitable for a predominantly residential area and the site was prone to flooding.

Subject to the imposition of the relevant planning conditions which addressed the impacts of the development, the scheme was considered to accord with the general principles of the National Planning Policy Framework. The scheme as proposed was therefore not considered to have an unacceptable adverse impact on the character and appearance of the area or lead to an unacceptable loss of amenity for neighbouring land users. It was considered that the scheme would not have an adverse impact on highway safety and was satisfactory in respect of other material planning considerations including drainage.

The application was recommended for approval accordingly.

The consultees that had been notified and the comments that had been received were detailed within the report.

Neighbours were notified and the comments that had been received were detailed within the report.

Where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

Section 143 of the Localism Act came into force on the 15 Jan 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should had regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

The planning policies that were considered to be relevant to the consideration of the application were detailed within the report.

The Planning Officers report concluded that impacts of the proposal had been considered against national and local planning guidance. Material considerations had been considered in detail and the development as proposed was considered to be acceptable including design and layout, highway safety and it did not adversely impact on the amenity neighbouring properties as to warrant a refusal of the application.

In view of the above considerations, it was considered that the proposed scheme would address the reasons for refusal of petrol stations in 1975, 1979 and 1980.

It was recommended that the application be Approved with Conditions for the reasons specified above.

Members were presented with an update report which detailed that additional information had been provided by the applicant in relation to materials, site and floor levels, hard landscaping and external lighting in order to negate the need for a future submission of such details. The additional information had been considered by the case officer, the Head of Technical Services and the Environmental Health Unit and was considered to be acceptable. Consequently a number of planning conditions were therefore set out in the update report to ensure any development would proceed in accordance with the submitted details.

All material planning considerations (and conditions) remained as set out within the original report unless otherwise indicated within the update report.

The recommendation of the main report remained unchanged, which was that the application be approved with conditions contained within the main report along with the additional conditions as set out in full within the update report.

Ward Councillors for Elm Tree, Councillor Julia Cherrett and Councillor Elliot Kennedy were in attendance at the meeting and were given the opportunity to make representation. Their comments could be summarised as follows:

- Proposed opening times were too long and there was an increase in hours on bank holidays and Sundays which would impose on residents. If the application was to be approved the opening hours of the petrol station and kiosk should be restricted to that of the supermarket which were currently 8.00am until 9.00pm.
- The application should be refused as had been in 1975, 1979 and 1980 as the reasons for refusal were still valid today.
- Concerns were raised in relation to accessing the proposed petrol station and increased traffic congestion.
- Stockton Football Club had recently gained approval on new facilities in close proximity to the proposed site, coupled with this proposal, local disturbance would be exacerbated.
- There were a number of bungalows opposite the proposed site which had forward facing bedrooms. Residents in those homes would be constantly disturbed by the comings and goings of additional delivery vehicles. It had been estimated that residents would suffer an additional 1030 hours of disturbance a year.
- The lighting up of the car park would encourage Anti-Social Behaviour.

Objectors were in attendance at the meeting and were given the opportunity to make representation. Their comments could be summarised as follows:

- It was reported that the car park was often flooded during heavy rain, and concerns were raised that spillages from delivery vehicles could find their way into resident's drains.
- Sainsbury's would be increasing the hours of operation with the addition of the petrol station and kiosk, imposing on residents.
- Residents who lived across the road from the proposed site were already experiencing difficulty when crossing to visit the supermarket. This would worsen if the proposed application was approved.

Officers were given the opportunity to respond to some of the concerns which had been raised at the meeting. Their comments could be summarised as follows:

- Sainsbury's had revised the opening hours of the petrol station from 6.00am to 11.00pm, and were now proposing 7.00am until 10.00pm even though there had been no objection from the Environment Agency.
- Deliveries of fuel were unlike those of groceries. There were only 2 to 3 deliveries expected per week.
- All contaminated surface water would run through an interceptor therefore

contamination would be avoided.

- Although it appeared that the car park flooded during heavy rain, it was in fact surface water and not flooding.
- The Head of Technical Services informed the Committee that he would investigate the issues surrounding the difficulties residents were having crossing the local highway.
- Although issues were raised in relation to congestion it was acknowledged that the junction close to the proposed site was busy however was not operating at full capacity and therefore would not have a detrimental impact on traffic flow should the application be approved.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- Sainsbury's operated their business to the letter of the law, this sometimes impacted on residents as delivery vans were not allowed on the premises until the permitted time. This would result in vehicles parking on the nearest highway, outside residents properties with their engines running. It would not be acceptable if tankers were to do the same. Sainsbury's would need to allow the tankers on site if they arrived early.
- There was a need for a pedestrian walkway to enable safe crossing.
- Had any consideration been given to an additional exit to the proposed site as traffic did back up from current exit?
- Petrol station and kiosk should operate the same opening hours as the Supermarket.
- Suggestions were made that the kiosk should not sell cigarettes. This would discourage younger people using the kiosk for such purchases.
- Concerns were raised relating to the entrance and exit of the petrol station not being separate.
- During the site visit which was held on the 8th July 2014, it was highlighted that the coach transporting Members had struggled to manoeuvre in and out of the proposed site; surely therefore it would be difficult for tankers accessing the site. Members were not convinced that there was enough space for petrol tankers to manoeuvre comfortably and therefore requested a better access to the site.
- There were current traffic congestion issues in Bishopton Road West.
- Although the levels of water during heavy down pours in the car park may not technically be classed as flooding, it did affect the nearby pedestrian crossing as high levels of surface water made it unsuitable for residents to use.
- The petrol station would not improve amenity for local residents.

Officers addressed the Committee in response to some of the issues members had raised. Their comments could be summarised as follows:

- In relation to the surface water on the pedestrian crossing it was highlighted to members that this was in fact the responsibility of Sainsbury's. The Head of Technical Services agreed to speak with Sainsbury's to try to resolve the situation however explained that the Local Authority could not enforce it.
- Where additional access had been suggested it was explained that as the current access to the site was not an issue, additional access would not be required. In addition the Head of Technical Services stated that he was satisfied that the application satisfied pedestrian needs.

A motion that the opening hours of the petrol filling station should coincide with the opening hours of the main store was carried and a vote then took place and the application was approved

RESOLVED that: planning application 14/0985/FUL be approved subject to the following conditions and informatives below;

01. The development hereby approved shall be in accordance with the following approved plans;

Plan Reference Number	Date on Plan
SBC0001	17 April 2014
SBC0002	11 April 2014
SBC0003	11 April 2014
SBC0004	11 April 2014
1121-01 REV D	11 June 2014
EO2B 14	
4062_103 REV C	
4062_141 2	July 2014
2	July 2014
2	July 2014
4062_102 REV D 2	July 2014

02. Materials

The materials shall be carried out in accordance with the details submitted on drawing SBC0001 dated 17th January 2014, unless otherwise agreed by the Local Planning Authority.

03. Hard landscaping

The hard landscaping shall be carried out in accordance with drawing 4062\_103 REV C and drawing 4062\_141, unless otherwise agreed by the Local Planning Authority.

04. Site and Floor Levels

Unless otherwise agreed in writing with the Local Planning Authority, the site and floor levels shall be carried out in accordance with plan 4062\_102.

05. External Lighting

The forecourt lighting shall be carried out in accordance with plan EO2B dated 2nd July 2014 and the details submitted in the lighting report dated the 20th May 2014, with no alteration to the lighting provision unless otherwise agreed by the Local planning Authority.

Conditions which will remain in perpetuity

06. Restricted sales use

Notwithstanding the development hereby approved, no more than 5 sqm (five square metres) of gross internal floorspace of the kiosk building hereby approved shall be used for the display or sale of goods to visiting members of the public. The remainder of the floorspace is to be used for storage and other back of house activities ancillary to the permitted A1 Use Class retail sales only.

07. Hours of operation - Petrol filling Station and kiosk

The Petrol Filling Station and associated kiosk/shop shall not be open for use outside of the hours of 0800 and 2100 hours Monday to Friday, 0800 – 2000 Saturday and 10:00 to 16:00 on a Sunday.

08. Delivery times

No deliveries shall be made to the hereby approved buildings and petrol filling station outside the hours of 0700 and 2200 hours Monday to Sunday.

Other Conditions

09. Hours of construction on site

No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

## INFORMATIVE OF REASON FOR PLANNING APPROVAL

### Informative 1: NPPF

The decision has been taken having reference to the guidance within the National Planning Policy Framework

### Informative 2: Requirements for Petrol Filling Station Licence & Environmental Permit

The applicant should contact the Council's Environmental Health Unit (and Petroleum Licensing Officer) with respect to obtaining a Petroleum License for the petrol filling station, and an Environmental Permit in respect to the regulation of odours and fumes.

The applicant should contact the Council's Environmental Health Unit on 01642 526575 to discuss these matters further.

**Informative 3: Trade Effluent Consent**

The applicant should contact the water and sewerage company for any consents required in relation to trade effluent or waste water disposal.

**P  
39/14**

**14/1123/ADV**

**Sainsburys Supermarkets Ltd, Whitehouse Farm , Bishopton Road West, Stockton-On-Tees**

**Erection of advertisements associated with proposed 3-pump petrol filling station to include 1 no. internally illuminated totem sign, 5 no. internally illuminated fascia signs and 7 no. non-illuminated other signs**

14/1123/ADV

Sainsburys Supermarkets Ltd, Whitehouse Farm , Bishopton Road West, Stockton-On-Tees

Erection of advertisements associated with proposed 3-pump petrol filling station to include 1 no. internally illuminated totem sign, 5 no. internally illuminated fascia signs and 7 no. non-illuminated other signs

Consideration was given to a report on planning application 14/1123/ADV Sainsburys Supermarkets Ltd, Whitehouse Farm , Bishopton Road West, Stockton-On-Tees.

The application sought advertisement consent for the erection of advertisements associated with a proposed 3-pump petrol filling station (application 14/0985/FUL, which was the subject of a separate agenda item) to include 1 internally illuminated totem sign, 5 internally illuminated fascia signs and 7 non-illuminated other signs at Sainsbury's supermarket, Whitehouse Farm located off Bishopton Road West, Stockton on Tees.

The main store building was set back from Bishopton Road West (south) with a car park to the front (south) and side (east) of the main store. The store and car park was accessed from Barlborough Avenue (west). Beyond the highway of Bishopton Avenue to the east were residential properties along Bishopton Avenue and Bishopton Road (south east). Beyond Bishopton Road West to the south of the application site were properties along Bishopton Road West, playing fields and Stockton Sixth Form college (south west). The residential properties of No's 1-9 (odds) Barlborough Avenue were present to the west of the site, of which this road lead into a wider residential estate. 'Senators' public house was adjoined to the store on the north east elevation. Tree planting and soft landscaping was present along the southern boundary. An existing totem sign was present along the eastern site boundary, adjacent to Bishopton Avenue.

The Head of Technical Services had raised no objections to the application in terms of highway safety. No objections were raised by the Environmental Health Unit.

15 letters of objection had been received to date which were summarised in the



main report but included the impact on the amenity of neighbouring properties, the impact on highway safety, the scheme was not suitable for a predominantly residential area and property devaluation.

The scheme was considered to accord with the general principles of the National Planning Policy Framework. The scheme as proposed was therefore not considered to have an unacceptable adverse impact on the amenity of the surrounding area or an adverse impact on highway safety.

The consultees that had been notified and the comments that had been received were detailed within the report.

Neighbours were notified and the comments that had been received were detailed within the report.

Where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

Section 143 of the Localism Act came into force on the 15 Jan 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should had regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

The planning policies that were considered to be relevant to the consideration of the application were detailed within the report.

The Planning Officers report concluded that advertisement consent be granted with Conditions for the reasons as detailed within the main report.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- Concerns were raised in relation to the size of the illuminated signs and the times which the signs would be illuminated.

A motion to include a condition that the illuminated signs would be switched off outside the opening hours of the petrol filling station was carried, a vote then took place and the application was approved.

RESOLVED that advertisement consent 14/1123/ADV be Approved subject to the following conditions and informatives;

01 The development hereby approved shall be in accordance with the

following approved plan(s);  
Plan Reference Number    Date on Plan  
4062/200 REV C    27 May 2014

#### Conditions to be Implemented

02.    Prior to the 1no. internally illuminated totem sign hereby approved being erected, the existing totem sign sited along the adjacent boundary to Bishopton Avenue and as indicated on plan 4062/200 REV C (dated 27th May 2014) shall be removed in its entirety.

#### Core Strategy Development Plan.

03.    The 5no. internally illuminated fascia signs and the 1no. internally illuminated totem sign hereby approved shall be restricted to a maximum luminance level of 450cd/m<sup>2</sup>.

The Petrol Filling Station and associated kiosk/shop shall not be open for use outside of the hours of 0800 - 2100 hours Monday to Friday, 0800 - 2000 Saturday and 10:00 to 16:00 on a Sunday.

Reason: In the interests of the amenity of the neighbouring occupiers.

#### INFORMATIVE OF REASON FOR PLANNING APPROVAL

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework.

**P  
40/14**

**Land to the South of Cayton Drive, and West of Middleton Avenue,  
Thornaby.**

**Revised application for the erection of 50 dwellings, formation of access,  
provision of landscaping and associated works**

Consideration was given to a report on planning application 14/0954/REV Land to the South of Cayton Drive, and West of Middleton Avenue, Thornaby.

Planning permission was sought for the erection of 50 dwellings on land to the west of Middleton Avenue in Thornaby, within the residential development limits, within designated green wedge and within the Tees Heritage Park. A similar planning application was refused in 2013 for housing on this site which had a slightly different layout and arrangement. That application was refused for 5 reasons relating to, the impact on the green wedge function, a poor highway layout, insufficient provision of affordable housing, impacts on an existing tree belt and impacts on future residents of the development. This application had been submitted in an attempt to address the previous reasons for refusal and following a Secretary of State decision for housing in the green wedge on the opposite side of Ingleby Barwick which was a material planning consideration in the determination of this proposal.

Objections had been received in respect to the application which were made mainly on the grounds that the site was in the green wedge and its development would reduce the strategic gap between Ingleby and Thornaby, that the site was well used by wildlife, that traffic in the area was already at congestion level and could not take any further development and that the development would have a

detrimental impact on nearby properties.

Although the site was in the designated green wedge which was a previous reason for refusal, this application needed to be considered against the Secretary of State's decision where it was found that the lack of a 5 year supply was sufficient to outweigh the green wedge designation when considering a proposed housing development. Officers had reconsidered this scheme in the context of that decision and believe that although this site was designated green wedge, its form, position and layout, being a slightly overgrown linear paddock at the far end of the green wedge, within an alcove of built development in the wider area, meant that arguably, it was of less value than other areas of the wooded Bassleton Beck. Whilst green wedge was a finite resource, based on the NPPF's guidance that there should be a strong presumption in favour of new housing schemes where authorities cannot demonstrate a 5 year supply and in view of the recent decision by the Secretary of State, it was considered that resisting this application a 2nd time would be contrary to these other material planning considerations. As such, it was now considered that the principle of this development in this particular part of the green wedge was acceptable.

The road layout and vehicle manoeuvring within the site had been amended from the previous approval and the Head of Technical Services was satisfied with the layout and parking provisions. Properties were set away from the adjacent tree belt in the majority of cases and some had side elevations facing it, which would reduce the overshadowing issue which was a previous reason for refusal and the scheme was now considered to provide a suitable layout in this regard. The proposed properties were of a scale which was in keeping with the surrounding area, comprising a mix of 2, 3 and 4 bed units and had well detailed elevations. There should also be no significant and undue impacts of overlooking or overshadowing for nearby residents.

Contributions were required via a Section 106 Agreement towards education needs, open space, recreation and landscaping in the local area and a traffic calming scheme on Middleton Road.

In view of all these matters, it was considered that the application was partly in accordance with the Local Development Plan and where it was contrary to that, the National Planning Policy Frameworks presumption in favour of providing a 5 year deliverable housing supply was considered sufficient to outweigh the Local Development Plan in this regard.

The consultees that had been notified and the comments that had been received were detailed within the report.

Neighbours were notified and the comments that had been received were detailed within the report.

Where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and saved policies of the Stockton on

## Tees Local Plan

Section 143 of the Localism Act came into force on the 15 Jan 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should had regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

The planning policies that were considered to be relevant to the consideration of the application were detailed within the report.

The Planning Officers Report concluded that the proposed development of the green wedge was at a high point with the adjacent Bassleton Beck Valley and due to its position and the nature of the development, it was considered that the proposal would detrimentally affect the character and function of the green wedge. Due to changes between the proposed and the earlier scheme it was considered that this would have a reduced impact on the green wedge, in addition to which, in view of existing material planning considerations, it was considered that the impact on the green wedge and other designations was insufficient reason to outweigh the lack of a 5 year housing supply.

It was considered that the site layout had adequately taken account of the surrounding woodland and residential development and would have no significant detrimental impacts on these adjacent uses and features. It was further considered that the scheme made adequate provision for properties, spacing within the site, gardens, parking and the turning and manoeuvring of vehicles in accordance with local development plan policy.

Subject to conditions as recommended and Section 106 contributions being made towards education, a highway scheme and towards off site open space, recreation and landscaping, the scheme was considered to be suitable for approval.

Members were presented with an update report which detailed comments received from Technical Services which referred to the two access points into the proposed site and there being a 50/50 split of vehicle trips off those accesses. To confirm the situation, 16 properties would be served off Middleton Avenue and 34 would be served off Cayton Drive.

The list of approved plans needed amending which included the following two plans which were the latest versions submitted;  
Plan SK-10.01 revision EE as received on the 16th June 2014.  
House type plan reference A-WIL-SP-STD/00 on the 16th June 2014.

Further Comments had been received from Councillor Ian Dalgarno who had objected to the scheme on matters including; back-land development, car parking issues, close proximity, loss of open space, means of access, residential amenity, scale and size of development, traffic and highways matters and advised that the development should not be allowed as it was in the green wedge.

The additional comments received had been considered within the main report and all matters detailed within the update report were considered to not affect the considerations within the main report.

It was therefore recommended that the application be determined in accordance with the recommendation within the main report subject to the changes of plan references as detailed in full within the update report.

Ward Councillor Ian Dalgarno was in attendance at the meeting and was given the opportunity to make representation. His comments could be summarised as follows:

- Councillor Dalgarno expressed his amazement that this application had been recommended for approval, although a small development of 50 houses it was still chipping away at Tees Heritage Park. It was a mockery of the green infrastructure and the application should be refused.
- The proposed cul de sac had only one access point.
- Current traffic issues would be exacerbated no matter what the traffic surveys were indicating.
- Local plans the authority had adopted no longer held any weight.
- Open spaces should be protected by the local authority.

Objectors were in attendance at the meeting and were given the opportunity to make representation. Their comments could be summarised as follows:

- A previous application had been submitted in 2013 which was refused, members of the public were disappointed this had been recommended for approval.
- There would be an impact on the environment in particular an increase in traffic congestion.
- Members had a statutory and moral obligation to protect residents.
- The development was too close to the northern boundary overlooking narrow gardens.
- 180 residents had written individually objecting to this application
- The development would destroy green wedge, instead of building on this, it should be preserved and protected for future generations.
- The development was in one of the nicest most tranquil parts of Thornaby. If approved the Council were going against everything it stood for as indicated in the Local Plan.
- There was currently a large quantity of houses for sale in Thornaby for under 120k therefore why the need for those in the proposed application.

- The 5 year affordable housing figures lacked credibility.
- Bellway homes were not interested in affordable homes.
- A previous application had been put forward on the same site which had been refused by the Committee. Residents requested that the application be rejected using the same reasons as the previous application, as it was felt the reasons were still applicable to the new proposal.

Officers addressed the Committee in response to some of the issues which had been raised. Their comments could be summarised as follows:

- In relation to the development getting closer to the northern boundary, the proposal met and exceeded normal distances on normal schemes. The National Planning Policy Framework made some of the local authorities policies out of date and officers had taken comments from the Secretary of State on previously refused applications into account when reaching their recommendations.
- With regard to issues surrounding traffic congestions it was highlighted that the proposed development would create less than 30 vehicles during morning and evening peaks. 30 vehicles were not considered to be detrimental to the area of the highway that would be affected. Traffic congestion could only be considered if deemed severe, this was not.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- It seemed Stockton Borough Council no longer had a policy to protect green wedge. Many members were disappointed that this application had come back to Committee.
- Green infrastructure was important, urban and rural grids, trees, avenues, small open spaces, all of these networks were important. It was felt that the Secretary of State had the power to take these away from the borough and approve developments like this.
- Stockton Borough Council had had great publicity regarding their parks and green spaces providing great amenities for public use. No one should build on these green spaces, not 1 house, not 150.

A vote then took place and the application was refused.

RESOLVED that the application be refused for the following reasons:

Reason 1: Impact on the green wedge

In the opinion of the Local Planning Authority the proposed development would cause irreparable damage to the character and openness of the green wedge at this point as a result of the nature of the development on the site, its scale and its position at a high point relevant to the adjacent parts of the green wedge. The scheme would be likely to impact on the adjacent woodland which would further

reduce the value and function of the green wedge to its detriment. The proposal is therefore considered to be contrary to the guidance contained within Stockton on Tees Core Strategy Development Plan Policy CS10(3). It is considered that the lack of a 5 year housing supply within the Borough is insufficient reason to outweigh this policy of restraint.

#### Reason 2: Highway provisions

In the opinion of the Local Planning Authority the proposed development would raise unacceptable risk to highway safety and not sufficiently make provision for access and parking as a result of there being insufficient physical traffic calming features within the highway, excessive reversing manoeuvres being required for plots 22 & 23, insufficient provision for increased parking associated with 'affordable units' and insufficient width to one of the cul de sac's, thereby being contrary to the guidance contained within saved Local Plan Policy H03(vi) and Core Strategy Development Plan Policy CS3 (8).

#### Impacts on existing tree belt

In the opinion of the Local Planning Authority, the extent and position of development along the southern boundary would have a significant and detrimental impact on the health and longevity of the trees associated with the woodland planting adjacent to the southern site boundary due to the likely impacts on their root structures. The development would also place future pressure for the removal of trees from within the woodland due to significant impacts of overhanging and overshadowing of gardens and properties. The scheme therefore fails to adequately take into account the impact on surrounding features, contrary to the requirements of saved Local Plan Policy HO3(vi), Core Strategy Development Plan Policy CS3(8) and the National Planning Policy Framework (para. 61.)

#### Reason 4: Insufficient amenity for future occupiers

In the opinion of the Local Planning Authority , properties 45 to 53 will be unable to achieve adequate levels of natural light into the rear adjacent gardens and to rear windows due to the maturing trees, the position of adjacent properties and the limited depth of gardens provided, thereby being contrary to the guidance contained within the National Planning Policy Framework (paragraphs 17 & 58) which seek to secure a high quality design and a good standard of amenity for all existing and future occupants of land and buildings and ensure that developments function well over their lifetime.

**P 14/0278/FUL**  
**41/14 Land To Rear Of 661 Yarm Road, Eaglescliffe,**  
**Formation of a car park including vehicular access to river and associated**  
**infrastructure and landscaping works.**

Consideration was given to a report on planning application 14/0278/FUL Land To Rear Of 661 Yarm Road, Eaglescliffe.

Planning permission was sought for the development on land to the rear of 661 Yarm Road, Eaglescliffe to create a 40 space car park. The site was currently

occupied by a workshop / storage building, and areas of hardstanding and landscaping. The site was located behind an apartment block and the Blue Bell Public House.

The proposal would result in the removal of the existing building on site, the forming of the car park surface and works to the access, re-grading works to the land, retaining features to the northern, eastern and western sides, landscaping works, lighting, CCTV, pay meter and fencing works.

Objections had been raised in respect to the scheme, some of which had led to revised plans being submitted. The main objections related to considerations that what is shown cannot be achieved on ground due to inaccuracy of plans, that the site development would require use of others land which was not agreed, that the access would be too narrow, that the scheme would result in risk to highway safety, that the vehicular access onto Yarm Road would be problematic, that the access to the wider land should not be allowed and that this would result in the loss of the building and site that was currently used by the Cleveland Sea Scouts and others in respect to storage of canoe's and associated equipment and thereby prevent their access to the river as no alternative existed.

Officers considered the revised plans to accurately represent the situation on site and that what was shown should therefore be physically achievable. The Head of Technical Services had considered the revised plans and considered that although the access was narrow and adjacent to an existing footpath, that the proposal would achieve an acceptable access and egress.

Although the use was immediately adjacent to an apartment block and windows within the rear elevation, the proposal allowed for some landscaping and a fence to partly offset the car park from the rear of this building. Notwithstanding this, residential amenity would be affected by the proposed use and as such, hours of use were recommended as being restricted between 7.30 am and 6.30pm so that some respite could be achieved for occupiers of the apartment block. A management plan was conditioned as being required in respect to the overall operation of the car park.

The site was within a conservation area, and partly within a special landscape area, within the green wedge and within view of a listed church and bridge. The proposal would impact on these designations, however, the additional land take of the car park from that of the existing was not significant, the existing building on site would be removed and new landscaping works would take place. In view of these and other matters it was considered that the impacts on these designations would not warrant the refusal of the application.

The consultees that had been notified and the comments that had been received were detailed within the report.

Neighbours were notified and the comments that had been received were detailed within the report.

Where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance



with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

Section 143 of the Localism Act came into force on the 15 Jan 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should had regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

The planning policies that were considered to be relevant to the consideration of the application were detailed within the report.

The Planning Officers report concluded that The proposal was considered to represent a suitable form of development without significant detrimental impact on residential amenity and without undue risk to highway safety. The impacts on land designations were considered to be sufficiently limited and subject to controlling conditions, it was considered that the proposed development was in accordance with relevant development plan policies.

Members were presented with an update report which detailed that since the issue of the main report additional comments had been received.

A number of comments had been received and dialogue undertaken with Mr Emadi, owner of the apartment block adjacent to the site. Mr Emadi had raised points which had been raised in his earlier correspondence which was detailed and considered within the main report. Mr Emadi had employed a transport consultant who had submitted comments about suggesting there were serious deficiencies with the planning application. The suggestions made were set out in full within the update report.

The submission also detailed a swept path analysis which they considered showed the carriageway had insufficient width to accommodate two vehicles passing and if widened would take others land and require vehicles to pass over the adjacent footpath.

The Cleveland Scouts (Mr Bishop) had withdrawn their opposition to the planned development following the applicants agent indicating their willingness to assist the scouts in finding another base.

The Head of Technical Services had considered the additional information and much of this had already been raised by objectors to the scheme. The application was submitted with a swept path analysis which demonstrated that vehicles could access and egress the site, that forward visibility could be achieved and the Head of Technical Services considered that the access arrangements were acceptable.

In view of the above the recommendation remained for approval subject to the conditions set out within the original report.

An objector was in attendance at the meeting and was given the opportunity to make representation. His comments could be summarised as follows:

- It was stated that the Local authority was deeply involved in this application and would profit financially if the car park was approved. Suggestions were made that the Authority should have declared an interest.
- The objector owned land adjacent to the proposed site which was purchased in good faith however he was concerned that the public footpath would be

moved onto his land to make the access to the car park wide enough.

- That there was a 1 in 4 gradient proposed after the access gate which was unsuitable for farm machinery.
- The objector claimed that Stockton Borough Council had been working on the proposed car park for 2 years; however it had been repeatedly withdrawn due to access to the site not being wide enough.
- Concerns were raised in relation to the accuracy of measurements contained within a technical report prepared by officers at Stockton Borough Council.
- The objector requested the application be refused.

Ward Councillor Mark Chatburn was in attendance at the meeting and given the opportunity to make representation. His comments could be summarised as follows:

- There would be a detrimental impact on traffic and a potential risk of vehicular accidents.
- Access and egress would be used when Yarm Road was at its peak creating additional traffic issues.
- A long Stay car park was required in Yarm however this was not the right location. A previous planning application had been put forward for Yarm School playing fields which had included a car park on this site however it was rejected as inappropriate. .
- The width of the access to and from the car park was too narrow.
- Please reject the application.

Officers addressed the committee in response to some of the concerns raised by the objector and Councillor Mark Chatburn.

- The Principal Solicitor was satisfied that no interest was required to be declared by the Authority, even though the Council had worked closely with a third party. Stockton Borough Council had been open fair and transparent.
- Planning Officers had gone way above and beyond when responding to objectors concerns.
- The comments raised in relation to the Council making financial gain were not fully understood.
- Measurements which were detailed within the technical report were correct.
- It was acknowledged that Yarm Road was a busy road and there were current accesses at the part of Yarm Road close to the proposed site and an existing manoeuvre of cars turning right, however this was not severe enough to object to the application.
- Access to the car park was tight and a give way would be introduced to accommodate this however was not ideal, as long stay levels of traffic would be low.

In relation to the 1 in 4 gradient this was outside of the area of the proposed car park and was where land met agricultural land.

The applicants agent was in attendance at the meeting and was given the opportunity to make representation. His comments could be summarised as follows:

- A long stay car park was much needed in Yarm. The proposal would provide an additional 40 spaces. This was a Brown field site and was ideal for this kind of development.
- The applicant had worked closely with the Council for 12 months and it was felt that the proposed site would sit comfortably with its surroundings. There was a building currently on the site which was used as storage by the local Scouts however this was in a poor state of repair. The applicant had offered the Scouts alternative storage, after which the Scouts had withdrawn their objection to the application.

- Some of the objections which had been raised were unfounded and the agent asked the Committee to approve the application.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- Agreed with comments from Councillor Mark Chatburn.

- It was felt that the proposed application had been shrouded in secrecy. There was a perception that there was an ulterior motive of what was going on and what may go on in the future.

- There had been a slide shown of a gate on the proposed site which was intended for pedestrian use, now it seemed it had been turned into vehicular access.

- Who was the applicant?

- There were legitimate concerns relating to traffic issues specifically in relation to access and cars going in and coming out of the proposed site.

- Would signage be available to indicate the car park was full to limit the number of vehicles looking for spaces unnecessarily and exacerbating the issues surrounding access and egress to the car park?

- Concerns were raised as to the nature of some of the allegations which had been made against Officers of the Council where Officers integrity had been questioned. Was the Authority taking these claims further?

- Discussion took place in relation to the environmental amenity to residents living within the adjacent apartment block. The car park would be an annoyance to those residents.

- Traffic likely to be using the proposed car park would be coming from the North. There was another proposed site close to the Centre of the High Street, if this car park was full then drivers would continue to look for spaces on the proposed site and have to turn right across oncoming traffic. This would result in bunching up of traffic at peak times.

- There was an original footpath(Stoney Bank), which had been tarmacked over, if the tarmac was removed the original cobbles which ran to Eaglescliffe would be revealed. Concerns were raised that these cobbles could be ripped up to accommodate the car park however the cobbles needed to be preserved.

- If the application was to be approved it was suggested that a condition be included to retain the northern boundary, it should not be treated as a piece of scrub land.

- Additional housing in and around Yarm was exacerbating the need for car park.

Officers addressed the Committee in response to some of the concerns raised by Members. Their comments could be summarised as follows:

- The Principal Solicitor informed Members that the Applicant owned the proposed site of the car park however at this point it was unclear as to who would operate the car park.

- The applicant was Southland Management.

- Replies had been sent to objectors who had made allegations against Officers conduct and if Officers wished to do so they could take it further.

- The Head of Technical Services explained that it was important that long stay car parks were available in Yarm Town Centre whether they were operated by private or public sector.

- Signage to indicate if the car park was full would be investigated further with the applicant, however the Head of Technical Services indicated that he was satisfied with the current layout.

A vote then took place and the application was refused.

RESOLVED that the application be refused for the following reasons:

**Reason 1: Environmental Impact (loss of northern landscaping belt)**

In the opinion of the Local Planning Authority, the proposed development would result in the loss of existing landscaping to the northern site boundary, being detrimental to the character of the site and surroundings and the Eggescliffe Conservation Area, contrary to saved Local Plan Policy EN24 and Core Strategy Development Plan Policy CS3(8).

**Reason 2: Impact on living standards**

In the opinion of the Local Planning Authority, by virtue of the operation of the proposed car park and its position relative to the adjacent apartment block and the associated windows, it is considered that the proposal would have an unacceptable impact on residential amenity, contrary to the requirements of the National Planning Policy Framework (para. 17) which requires a good standard of amenity for existing and future occupants of land buildings.

**Reason 3: Road Safety**

In the opinion of the Local Planning Authority, the proposed access into the site is considered to be unsuitable and would pose a risk to highway safety, contrary to Core Strategy development Plan Policy CS3(8) which requires a new development to be designed with safety in mind and the principles of the National Planning Policy Framework.

**P  
42/14**

**14/0303/LAF**

**Land to the Rear of Barclays Bank Plc, 76 High Street, Yarm  
Proposed new public long stay car park to provide 38 car parking spaces  
including associated landscaping and lighting.**

Consideration was given to a report on planning application 14/0303/LAF Land to the Rear of Barclays Bank Plc, 76 High Street, Yarm.

Planning permission was sought by the Council for the creation of a long stay car park on land to the rear of the High Street in Yarm. The site was accessed off Silver Street and was currently made up of two separate plots, one being an informal parking / landscaped area which gives vehicle access to the rear of Barclays Bank and the other being a residential garden. The schemes implementation would require the removal of an existing wall between the plots and the removal of several trees.

Residential properties overlooked the site to the north, south and west. Vehicular access was via the flood defence wall and the associated flood gate onto Silver Street. The site was currently free from built form apart from a tarmac access road and a gravelled / earth area where cars currently parked on an informal basis.

Comments received in respect to the consultation exercise included three letters of objection which included one from Sainsbury's. Objections raised concerns over Silver Street being too narrow, existing traffic movements being problematic and it often being blocked by service vehicles, the existing

accesses onto Silver Street had poor visibility, that vehicles would be stuck in the car park when the Environment Agency close the flood gates and the loss of privacy that may occur as some users of the proposed development would use Swinburn's Yard for access to the High Street which was private property and not a public right of way. Sainsbury's had commented in support of a car park to serve Yarm centre but had objected over the lack of a management plan, significant impacts of traffic navigating Silver Street if there was no adequate signage, and to get to the car park required access over an un-adopted highway. The Head of Technical Services considered that the narrow carriageway would reduce traffic speeds, that as the proposal was a long stay car park, traffic increase would be negligible along Silver Street and that signage could be dealt with under a management plan condition.

The Council's Environmental Health Unit had raised no objections to the scheme, suggesting that a condition be imposed relating to the restriction of construction working hours, whilst also advising that they had no powers to take action on noise from a public highway or public car park and as such, any loss of amenity to local residents would need to be controlled through the hours of use. It was further highlighted that there were no such restrictions on similar adjacent private car parks where Statutory Nuisance Legislation could be applied and that no complaints had ever been received.

The Head of Technical Services had indicated that the development would provide additional car parking facilities close to Yarm High Street, would achieve an adequate access and would require its operational hours controlling via a Management Plan which could also deal with lighting and signage. It had also been indicated that a flood gate was located at the entrance to the car park which would be closed by the Environment Agency when a flood warning was issued and users of the car park could sign up to receive flood warnings. Notwithstanding this, vehicles could get locked in when flood warnings were in place. The Head of Technical Services raised no landscape or visual objections noting that the highest quality existing mature trees were to be retained and the requirement to agree full details of the landscaping proposals should be secured by a planning condition as should lighting, site surfacing and other minor details.

The car park was considered to be a suitable use in principle within the town centre location although it also lay within Yarm Conservation Area and was in close proximity to residential properties and listed buildings. The scheme had been amended following its initial submission to better distance parking spaces from properties fronting onto the northern boundary, to allow for greater areas of landscaping to be included, removed the CCTV column and reduced spaces from 40 to 38.

The site would be readily visible from several nearby properties and its use would therefore affect the privacy and amenity of these properties, however, taking into account the sites existing use as an informal car park in part, the long stay nature of parking proposed, the limit on hours of use and lighting and the ability to landscape sections of the site, it was considered that the proposal would not have significant undue impacts on residential properties.

The scheme would result in the amalgamation of two burgage plots and the loss of existing landscaping which would be detrimental to the character of the

conservation area, although some tree cover would remain within the site and surrounding area and new landscaping would be achievable as part of the scheme. It was considered that the benefits of the new car parking for the vitality of Yarm Centre and to assist with demand would outweigh the harm to the conservation area.

The consultees that had been notified and the comments that had been received were detailed within the report.

Neighbours were notified and the comments that had been received were detailed within the report.

Where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

Section 143 of the Localism Act came into force on the 15 Jan 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should had regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

The planning policies that were considered to be relevant to the consideration of the application were detailed within the report.

The Planning Officers report concluded that In view of all of the matters detailed within the report, it was considered that the proposal was a suitable use for the site and subject to appropriate conditions would not have undue detrimental impacts on surrounding uses and privacy or amenity associated with nearby residential properties. It was considered that adequate access could be achieved and that the proposal would not increase the risk of flooding for the wider area. Whilst the proposal was detrimental to the character and appearance of Yarm Conservation Area, it was considered that the impact of this was outweighed by the benefit of the proposed use to the vitality and operation of Yarm Centre.

It was recommended that the application be Approved with Conditions for the reasons as set out in full within the main report.

Ward Councillor Mark Chatburn was in attendance at the meeting and was given the opportunity to make representation. His comments could be summarised as follows:

- Councillor Mark Chatburn was in full support of the proposed application however suggested that a condition in relation to the hours of use be included. The high street car park ceased charging after 6.00pm and therefore spaces would be plentiful and no longer a requirement for the proposed car park after

this time.

Officers addressed the Committee in response to some of the issues raised. Their comments could be summarised as follows:

- The Head of Technical Services explained to the Committee that although there would be plenty of spaces available after 6.00pm on the high street, this was not always the end of the working day for some, who would then be required to move their vehicles unnecessarily.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- Concerns continued to be raised in relation to the operating hours of the proposed car park. Suggestions were made that a condition be included that the car park closed at 6.30pm, however it was also felt that the proposed operating times as detailed within the main report be approved with a view to monitoring them closely. If it was felt there was a need to reduce the operating hours then this could be actioned at a later date as temporary operating hours had been included for the first year of use with an option to change if they were deemed unsuitable.

- Discussion took place surrounding subsidence on the river road; it was felt a thorough assessment should be undertaken. It was proposed that the road be brought into the Councils adopted road scheme.

- Matters regarding flooding in the area was highlighted. If the current flood gates were to be used in such an event what would happen to the vehicles parked in the car park. There would be no way vehicles could be moved until the flood gates were reopened.

Officers addressed the Committee and responded to some of the concerns raised by Members. Their comments could be summarised as follows:

- In the event of a flood necessary communication would take place following current procedures.

A vote then took place and the application was approved

RESOLVED that planning application 14/0303/LAF be approved subject to the following conditions and informatives;

#### 01. Approved Plans

The development hereby approved shall be in accordance with the following approved plans;

Plan Reference Number	Date on Plan
TS10124/0/003 REV P3	30 May 2014
TS10124-0-001 REV P1	30 May 2014
TS10124-0-002 REV P1	30 May 2014

#### 02. Hours of Use - Flexible temporary

During its first operational year the car park hereby approved shall only be operational as a car park between the hours of 7.30 am and 9.00pm and

thereafter the hours of use shall remain 7.30 am to 9.00pm on any given day unless prior written notice has been issued by the Local Planning Authority stating that the operational time has been reduced to 7.30 am to 6.30 pm on any given day.

#### 03. Car Park Management Plan

A scheme for the management of the car park shall be submitted to and approved in writing by the Local Planning Authority prior to the car park hereby approved becoming operational. The scheme shall include but not be restricted to signage, hours for lighting and any car park control procedures including its use for long stay parking. The scheme shall include a complaints procedure in the event of complaints being received from residents in the vicinity of the car park relating to the use of the car park outside of the permitted hours, and mitigation measures in the event that the local planning authority deem that use to be detrimental to the amenity of the neighbours/complainant, including use of a car park barrier system. The scheme shall include details of the barrier type, its automated operation and timescales for its installation if required by the local planning authority. The car park shall be managed in accordance with the agreed scheme for the operational life of the car park and, if installed, the barrier shall be operated in accordance with the agreed scheme thereafter for the operational life of the car park.

#### 04. Finished ground levels

Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, a scheme of existing and proposed finished ground levels for the car park shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

#### 05. Surface Treatment of Car Park

Notwithstanding details on the plans hereby approved, all hard surfacing within the site will be in accordance with details which are first submitted to and approved in writing by the Local Planning Authority. The car park shall be constructed in accordance with the approved details and shall be maintained as such thereafter.

#### 06. Landscaping Scheme - (soft landscaping scheme, implementation and maintenance)

Notwithstanding details hereby approved and prior to the commencement of works on site a scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details including the species, numbers and locations of planting, timescales for implementation, a long term maintenance schedule and management plan where applicable. The development shall be carried out and maintained in accordance with the approved scheme.

#### 07. Tree and landscaping protection

No development hereby approved, including any preparatory works to the ground, shall commence until a scheme for the protection of trees and shrubs has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the precise location of protective fences, areas of material storage within the site and root protection zones. The approved scheme of protection shall be implemented on site prior to construction works commencing on site and shall be maintained throughout the period of construction.

#### 08. Lighting Scheme

Notwithstanding details on the plans hereby approved, there shall be no lighting erected within the car park unless it is in accordance with a scheme of such



which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail elements including the height of lighting columns, their positions, their style, colour and appearance, the light type, its lux, angle of direction and shielding.

#### 09. Hours of operation on site

No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

#### 10. Flood Risk

The development hereby approved shall only be carried out in accordance with the submitted Flood Risk Assessment dated 4/2/2014 and specifically the mitigation measures detailed within sections 7.1 and 7.2.

The mitigation measures shall be fully implemented prior to the car park being brought into use and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

#### 11. Wall re-building works

Any rebuilding works required in relation to the wall forming the northern boundary of the site shall be in accordance with details which have first been submitted to and approved by the Local Planning Authority.

#### INFORMATIVE OF REASON FOR PLANNING APPROVAL

The determination of the application has taken into account the National Planning Policy Framework.

**P  
43/14**

**14/1167/FUL**

**5 Wasdale Drive, Egglecliffe, Stockton-On-Tees**

**Proposed single storey extension to side of existing bungalow (creation of additional bedroom in roof including installation of 6.no roof lights) and single storey dining room, garage and car port extension to side and rear (demolition of existing conservatory and garage)**

Consideration was given to a report on planning application 14/1167/FUL 5 Wasdale Drive, Egglecliffe, Stockton-On-Tees.

Planning permission was sought for the erection of a single storey extension to the side and single storey dining room, garage and car port extension to side and rear (demolition of existing conservatory and garage) at No 5 Wasdale Drive, Egglecliffe, Stockton on Tees.

The application site was a semi-detached bungalow located within the cul de sac of Wasdale Drive and was not within the Egglecliffe Conservation Area. The property was adjoined by No 3 (west) with No's 10 and 12 to the front (south). Beyond the vehicular turning head and public footpath that run past the eastern boundary of the site were properties along Honister Walk. To the rear (north west) were No's 8 and 10 Uldale Drive.

The Head of Technical Services had raised no objections to the application in terms of highway and pedestrian safety and car parking.

6 objections had been received from neighbouring properties which were set out

in the consultation section of the report but in summary included the proposed scheme being out of character with the existing bungalow and surrounding properties, over development of the site, an adverse impact on the amenity of neighbouring properties and property devaluation.

Subject to the imposition of the relevant planning conditions which addressed the impacts of the development, the scheme was considered to accord with the general principles of the National Planning Policy Framework, saved Policy HO12 and the guidance within SPG2. The scheme as proposed was therefore not considered to have an unacceptable adverse impact on the character and appearance of the existing bungalow or street scene, or lead to an unacceptable loss of amenity or privacy for neighbouring land users. It was considered that the scheme would not have an adverse impact on highway safety.

The application was recommended for approval accordingly

The consultees that had been notified and the comments that had been received were detailed within the report.

Neighbours were notified and the comments that had been received were detailed within the report.

Where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

Section 143 of the Localism Act came into force on the 15 Jan 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should had regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

The planning policies that were considered to be relevant to the consideration of the application were detailed within the report.

The Planning Officer concluded that the impacts of the proposal had been considered against national and local planning guidance. Material considerations had been considered in detail and the development as proposed was considered to be acceptable including design and layout, highway safety and it did not adversely impact on the amenity neighbouring properties as to warrant a refusal of the application.

It was recommended that the application be Approved with Conditions for the reason(s) as set out in full within the main report.

The Applicant was in attendance and was given the opportunity to make

representation. His comments could be summarised as follows:

- The Applicant made reference to a number of objections which had been received claiming that the proposed application would devalue neighbouring properties. This he felt was unfounded as a nearby house had recently sold for the full asking price within 3 weeks of advertising, and the new purchasers would have been fully aware of the applicants plan to extend his property.
- In relation to an objection which had been received highlighting concerns that the side elevation of the proposed extension was too close to the public footpath and could present a hazard, the Applicant explained that a similar extension had been erected nearby close to a public footpath and there had been no issues reported.
- The proposed extension was only to be used as an occasional guest bedroom and was not to be used as a business.
- Issues over neighbouring boundaries were discussed and it was stated that the extension was only to be built on the applicants own land and not on any public right of way.
- Objections received regarding loss of light onto neighbouring properties did not make sense as the extension would back onto a neighbours shed and garage.
- Many neighbours were supportive of the application as the current sunroom which would be pulled down was an eyesore.

A vote then took place and the application was approved.

RESOLVED that planning application 14/1167/FUL be approved subject to the following conditions and informatives below;

01. The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number	Date on Plan
02 REV A	9 June 2014
05 REV A	9 June 2014
06 REV A	9 June 2014
SBC0001	2 May 2014
01	2 May 2014
03	2 May 2014
08(A)	9 May 2014

Conditions which will remain in perpetuity

02. The external finishing materials shall match with those of the existing building

03. Prior to the occupation of the development hereby approved, a 2m high closed boarded fence shall be erected along the adjacent rear boundaries to both No 3 Wasdale Drive (west) and No 10 Uldale Drive (north) as indicated on plan 05 REV A (dated 9th June 2014) and stained a dark brown colour unless otherwise agreed in writing with the Local Planning Authority. The fences shall remain for lifetime of the development hereby approved unless otherwise

agreed in writing with the Local Planning Authority  
Conditions to be Implemented

04. The garage and car port extension to which the permission relates shall be used for the parking of private motor vehicles and ancillary storage, incidental to the enjoyment of the occupants of the dwelling house and no other purpose.

05. Notwithstanding the submitted information, the 1no. roof light to be installed within the rear elevation (north) of the single storey side extension hereby approved (serving a bathroom) as indicated on plans 06 REV A (dated 9th June 2014) and 08(a) (dated 9th May 2014), shall be fixed and obscurely glazed using a minimum of type 4 opaque glass and shall remain for lifetime of the development hereby approved.

Informative 1: National Planning Policy Framework

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework.

**P**  
**44/14**      **Supplementary Planning Document 8 - Affordable Housing**

Members received The Supplementary Planning Document (SPD) 8 - Affordable Housing from the Head of Planning . The report provided guidance of how Local Plan policies relating to affordable housing would be applied and how their requirements could be met and would be a material consideration when determining applications for planning permission within the Borough.

The report advised Members that the document had now been finalised, subject to consideration of any comments or suggestions that Members provided. The SPD (Appendix A), the Equalities Impact Assessment (Appendix B) and Consultation Statement (Appendix C), were available on the Council's internet E-Genda system. The Consultation Statement included the schedule of comments received on the draft consultation version of the SPD and the Council's response.

The Head of Planning explained that the affordable housing policy had changed due to a previous application relating to the Free School in Ingleby Barwick. The report was due to go to Cabinet on the 17th July 2014.

Members noted the contents of the report and were asked to provide any comments or suggestions to the Head of Planning prior to Cabinet.

RESOLVED that the report be noted and any suggestions or comments Members may have be submitted to the Head of Planning.

**P**  
**45/14**      **1.Appeal - John Dobbing -208 Durham Road Stockton - 13/1887/OUT - DISMISSED**

RESOLVED that the Appeal be noted.